

REMARKS

Independent claims 17, 21, and 29 were rejected under 35 U.S.C. § 102(b) as being anticipated by Morrison (US 5,815,671). Morrison does not anticipate any of independent claims 17, 21, or 20 as amended.

For example, claim 17 has been amended to define an info segment that is not a pointer to the info segment and that is separate from segments of a plurality of segments of a particular program and an advertisement. The info segment may be retrieved by a computer that is accessing a computer accessible medium (see claim 17) and in response to the detection of a pointer by the computer. The retrieval of the info segment does not coincide with the receipt of segments of the plurality of segments of the one particular program or an advertisement. Claim 17 has also been amended to call for at least one info segment pointer to link to an info segment.

Morrison does not have an info segment that is not attached to a program or a message. For example, Morrison's message code flags and program break flags are received with an advertisement or a program respectively. *See* Column 5, lines 7-9; column 6, lines 29-33; column 7, lines 1-20; Figures 3A, 3B, and 4. Thus, in Morrison, each of the code words is received in conjunction with either a particular advertisement or a particular program and therefore are not received separately therefrom.

As claim 17 is patentably distinguished over Morrison, this claim and claims dependent thereon are in condition for allowance.

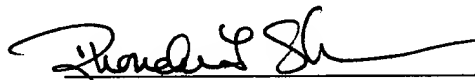
Claim 19, which was rejected under 35 U.S.C. § 103(a) as being unpatentable over Morrison in view of Ward, has been amended to call for a plurality of interruption point specifiers to identify a condition that, if satisfied, will cause an advertisement to be displayed instead of the identified program, the timing of the occurrence of the condition, if the condition occurs at all, unknown at the time the info segment is associated with a predetermined one of a plurality of program identifications within an electronic programming guide (EPG). In Morrison all of the breaks are predetermined by the positioning of the program break flags. *See e.g.*, Figure 4. Thus, the breaks are predicable albeit dependent upon a service agreement. In other words, breaks can only occur if a program break flag is detected. Actual usage during viewing has no effect on whether an advertisement is displayed or not. Thus, for at least this reason claim 19 and claims dependent thereon are patentably distinguished over Morrison.

Under analyses similar to that of independent claims 17 and 19, independent claims 21 and 29 are also patentably distinguished over Morrison. Namely, a receiver, or an interface in the receiver, may detect a condition that may cause the receiver to display an advertisement in place of a content item such as a movie or a game. But the timing of the occurrence of the condition, if the condition occurs at all, is unknown or not predetermined at the time a particular content item is accessed by a user. This may be in part due to the unique way a user interacts with the content item. For at least these reasons these claims and the respective dependent claims are also in condition for allowance. The examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted

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